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Jason Flanders (Bar No. 238007)  
Andrea Kopecky (Bar No. 276366)  
SAN FRANCISCO BAYKEEPER, INC.  
785 Market Street, Suite 850  
San Francisco, California 94103  
Telephone: (415) 856-0444  
Facsimile: (415) 856-0443  
Email: [jason@baykeeper.org](mailto:jason@baykeeper.org)  
Email: [andrea@baykeeper.org](mailto:andrea@baykeeper.org)

Drevet Hunt (Bar No. 240487)  
LAWYERS FOR CLEAN WATER, INC.  
1004A O'Reilly Avenue  
San Francisco, California 94129  
Telephone: (415) 440-6520  
Facsimile: (415) 440-4155  
Email: [drev@lawyersforcleanwater.com](mailto:drev@lawyersforcleanwater.com)

Attorneys for Plaintiff  
BAYKEEPER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BAYKEEPER, a non-profit corporation,

Plaintiff,

v.

ZANKER ROAD RESOURCE  
MANAGEMENT, LTD.,

Defendant.

Civil Case No. C 12-02157-HRL

Hon. Howard R. Lloyd

~~PROPOSED~~ ORDER OF ENTRY OF  
CONSENT DECREE, AND DISMISSAL

**~~[PROPOSED]~~ ORDER OF ENTRY OF CONSENT DECREE, AND DISMISSAL**

WHEREAS, the Parties in the above captioned action have reached a settlement whose specific terms are set forth in the ~~[Proposed]~~ Consent Decree (Dkt. 12-1).

WHEREAS, as required by federal law, a copy of the ~~[Proposed]~~ Consent Decree was mailed on August 9, 2012, to the U.S. Department of Justice ("DOJ") and to the U.S. Environmental Protection Agency for a mandatory 45-day review period under Section 135.5 of Title 40 of the Code of Federal Regulations. The 45-day review period commenced on August 14, 2012, and terminated on September 28, 2012.

WHEREAS, DOJ approved the ~~[Proposed]~~ Consent Decree and submitted its approval letter to the Court on September 26, 2012 (Dkt. 12-2).

IT IS HEREBY ORDERED that the ~~[Proposed]~~ Consent Decree is fully incorporated herein by reference, and is entered as an Order of the Court.

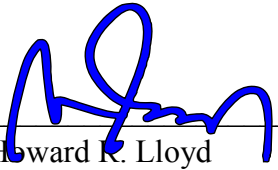
IT IS FURTHER ORDERED that the Court shall retain jurisdiction over Case No. CV-12-02157-HRL for the sole purpose of enforcing compliance by the Plaintiff and Defendant with the terms of the ~~[Proposed]~~ Consent Decree.

IT IS FURTHER ORDERED that the above captioned action against Defendant is dismissed with prejudice.

IT IS SO ORDERED.

Date: October 24, 2012

NORTHERN DISTRICT OF CALIFORNIA

  
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Honorable Howard R. Lloyd  
United States District Court  
Northern District of California